

**SMITH LARSEN & WIXOM**  
ATTORNEYS  
HILLS CENTER BUSINESS PARK  
1935 VILLAGE CENTER CIRCLE  
LAS VEGAS, NEVADA 89134  
(702) 252-5002 • (702) 252-5006

Kent F. Larsen, Esq.  
Nevada Bar No. 3463  
Karl L. Nielson, Esq.  
Nevada Bar No. 5082  
SMITH LARSEN & WIXOM  
1935 Village Center Circle  
Las Vegas, Nevada 89134  
Tel: (702) 252-5002  
Fax: (702) 252-5006  
Email: [kfl@slwlaw.com](mailto:kfl@slwlaw.com)  
[kln@slwlaw.com](mailto:kln@slwlaw.com)  
Attorneys for Defendant/Counter-  
Claimant The Bank of New York  
Mellon as Trustee for CWABS, Inc.  
Asset Backed Certificates, Series 2005-4

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

RAVI S. RAMANATHAN, as trustee of the  
RAMANATHAN FAMILY TRUST,

Plaintiff,

v.

DEUTSCHE BANK NATIONAL COMPANY  
AS TRUSTEE UNDER THE POOLING AND  
SERVICING AGREEMENT DATED AS OF  
APRIL 1, 2004, SECURITIZATION ASSET  
BACKED RECEIVABLES LLC TRUST 2004-  
NC-1 WITHOUT RECOURSE; THE BANK OF  
NEW YORK MELLON AS TRUSTEE FOR  
CWABS, INC. ASSET BACKED  
CERTIFICATES, SERIES 2005-4; DOES I  
through X, inclusive; and ROE BUSINESS  
ENTITIES I through X, inclusive,

Defendants.

THE BANK OF NEW YORK MELLON AS  
TRUSTEE FOR CWABS, INC. ASSET  
BACKED CERTIFICATES, SERIES 2005-4,

Counterclaimant,

v.

RAVI S. RAMANATHAN, as trustee of the  
RAMANATHAN FAMILY TRUST,

Counterdefendant.

CASE NO. 2:19-cv-02009-APG-EJY

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY**

**(SECOND REQUEST)**

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Plaintiff/Counterdefendant, Ravi S. Ramanathan, as trustee for the Ramanathan Family Trust ("Ramanathan") and Defendant/Counterclaimant, the Bank of New York Mellon, solely as Trustee for CWABS, Inc. Asset Backed Certificates, Series 2005-4 ("BNY"), by and through their respective counsel of record, hereby stipulate as follows:

Counsel for BNY had a medical emergency this past weekend, which will necessitate significant medical procedures in the coming days that will not permit him to continue in this case for an uncertain period. Plaintiffs' counsel kindly agreed to extend the current limited discovery deadline to allow BNY counsel to recover and resume practice. Sixty (60) days was agreed to for this purpose. Given that the emergency just occurred, the parties were unable to submit this request within the deadline to do so but request that the court grant the relief given the exigent circumstances.

**(a) Statement specifying the discovery completed:**

The parties have conducted the mandatory FRCP 26(f) conference, prepared and filed the parties' original proposed discovery plan and scheduling order (ECF No. 17). BNY filed a motion to extend the original discovery deadline which was granted in part and denied in part on July 27, 2020 (ECF No. 30). The parties have made and exchanged the FRCP 26(a) disclosures and documents. Plaintiff has served and BNY responded to written discovery. BNY has provided four supplements to its original disclosures and Plaintiff has provided one supplement to his original disclosures. The deposition of the Fed. R. Civ. P. 30(b)(6) witness of BNY was deposed via Zoom on July 7, 2020. The depositions of Plaintiff and his spouse were deposed via Zoom on July 28, 2020 and the deposition of the Fed. R. Civ. P. 30(b)(6) witness of BHHS was deposed via Zoom on August 27, 2020. Subpoenas to the new third party witnesses for the production of documents and for their depositions have been served.

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**(b) Specific description of the discovery that remains to be completed:**

Subpoenas to third party witnesses for the production of documents and for their depositions have been served but need to be rescheduled. Additional disclosures may also be necessary and additional depositions may be necessary.

**(c) Reasons why the deadline was not satisfied or the remaining discovery was not completed within the time limits set by the discovery plan:**

As set forth above, counsel for BNY has a medical emergency that will require surgery and at this time the recovery time is unknown.

**(d) A proposed schedule for completing all remaining discovery:**

The parties propose a 60-day extension of the remaining discovery dates as follows:

- Current Discovery Deadline: Friday, October 2, 2020
  - Requested Discovery Deadline: Tuesday December 2, 2020<sup>1</sup>
  - Current Dispositive Motion Deadline: Monday, November 2, 2020
  - Requested Dispositive Motion Deadline: Monday January 4, 2021<sup>2</sup>
  - Current Joint Pretrial Order Deadline: Wednesday, December 2, 2020
  - Requested Joint Pretrial Order Deadline: **Monday February 1, 2021**<sup>3</sup>
- unless a dispositive motion is filed, in which case thirty (30) days after the decision of the dispositive motion or further order of the Court.

...

...

<sup>1</sup> The discovery to be had is that limited by the Court's order dated July 27, 2020. (ECF No. 30)

<sup>2</sup> Because the sixtieth day fall on a holiday, the deadline was moved forward to the next judicial day.

<sup>3</sup> Because the sixtieth day falls on a Sunday, the deadline was moved forward to the next judicial day.

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The twenty-one day deadline to extend the discovery deadline was September 11, 2020  
 As set forth above, counsel for BNY has had an unplanned medical emergency this last weekend  
 and consequently, the stipulation deadline has passed. This is the second request for an  
 extension of these deadlines and is not made for the purposes of delay.

Dated this September 16, 2020.

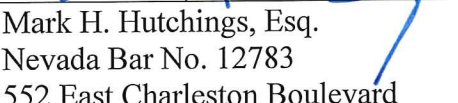
SMITH LARSEN & WIXOM

/s/ Karl L. Nielson

Kent F. Larsen, Esq.  
 Nevada Bar No. 3463  
 Karl L. Nielson, Esq.  
 Nevada Bar No. 5082  
 1935 Village Center Circle  
 Las Vegas, Nevada 89134  
 Attorneys for  
 Defendant/Counterclaimant  
 The Bank of New York Mellon as  
 Trustee for  
 CWABS, Inc. Asset Backed  
 Certificates, Series 2005-4

Dated this September 16, 2020.

HUTCHINGS LAW GROUP, LLC

  
 Mark H. Hutchings, Esq.  
 Nevada Bar No. 12783  
 552 East Charleston Boulevard  
 Las Vegas, NV 89104  
 Attorneys for Plaintiff/Counterdefendant  
 Ravi S. Ramanathan, as trustee of the  
 Ramanathan Family Trust

**ORDER**

IT IS SO ORDERED:

  
 UNITED STATES MAGISTRATE JUDGE

DATED: September 17, 2020